

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 05-346 SLR
	:	
ACARTUS, INC.,	:	
	:	
Defendant.	:	

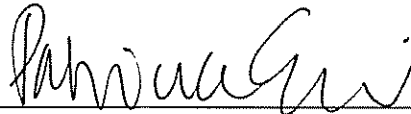
**NOTICE OF DEPOSITION**

TO: Mary B. Graham, Esquire  
Morris, Nichols, Arsht & Tunnell  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 30, plaintiff Mobius Management Systems, Inc. will take the deposition of defendant Acartus, Inc. by the following officer or agent before a notary public or other officer authorized by law to administer oaths, at the offices of The Bayard Firm, 222 Delaware Avenue, Suite 900, Wilmington, Delaware, at the date and time set forth below:

James Perkins on November 3, 2005 at 10:00 A.M.

THE BAYARD FIRM



Kurt M. Heyman (# 3054)

Patricia L. Enerio (# 3728)

Email: [kheyman@bayardfirm.com](mailto:kheyman@bayardfirm.com)

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P.O. Box 25130

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Attorneys for Plaintiff

Mobius Management Systems, Inc.

OF COUNSEL:

KRAMER LEVIN NAFTALIS & FRANKEL LLP

Randy Lipsitz

Jonathan M. Wagner

Norman C. Simon

1177 Avenue of the Americas

New York, New York 10036

(212) 715-9100

Dated: October 7, 2005

**CERTIFICATE OF SERVICE**

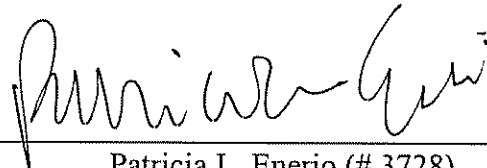
Patricia L. Enerio, Esquire, hereby certifies that on October 7, 2005, copies of the foregoing Plaintiff's Notice of Deposition were served upon the following:

**VIA HAND DELIVERY**

Mary B. Graham, Esquire  
Morris, Nichols, Arsht & Tunnell  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347

**VIA FACSIMILE**

Regan J. Fay, Esquire  
Meredith M. Wilkes, Esquire  
Jones Day  
North Point, 901 Lakeside Avenue  
Cleveland, OH 44114-1190

A handwritten signature in black ink, appearing to read 'Patricia L. Enerio', is written over a horizontal line.

Patricia L. Enerio (# 3728)